

Amesbury Municipal Council Meeting
Tuesday, November 13, 2007
Town Hall Auditorium

Call to Order 7:05PM

Pledge of Allegiance – Councilor Lavoie

Roll Call – Michelle Thone, Roger Benson, Thomas Iacobucci, Ann Connolly King, Robert Lavoie, Alison Lindstrom, Donna McClure, Mario Pinierio, Christopher Lawrence

Act on Minutes – September 11, 2007, October 2, 2007, October 9, 2007

Councilor Iacobucci questions October 2, 2007 page 2, first paragraph, first sentence, second line should read two sections of the charter.

Seven lines down “submit a measure” should read “veto a measure”.

Councilor Lavoie motions to approve as submitted with the above corrections – Voted Unanimous

Public Comment

James Thivierge, 106 Friend Street – Mr. Thivierge would like to see an audit done of the water & sewer enterprise fund.

Licenses & Permits

2007-106 National Grid – Pole Hearing – Water Street

Dave Ague – National Grid – Mr. Ague states the town asked National Grid to install a new pole on Water Street to alleviate the wires going across the river and over the bike path.

Councilor Benson motions for approval of 2007-106 as submitted.

2007-107 National Grid – Pole Hearing – Friend Street

Dave Ague, National Grid – Mr. Ague states the Newburyport Five Cent Savings Bank asked them to relocate a pole so they could reconstruct the area.

Councilor Benson moved for approval of 2007-107 as submitted. – Voted Unanimous

2007-109 Common Victualler – Rt. 110 Roast Beef & Seafood, 66 ½ Haverhill Rd.

Councilor Benson moved for approval of 2007-109 pending all taxes paid and all permits received.

Voted – Unanimous

Mayoral Appointments

2007-110 Appointment of Jeffrey Chaisson – Landry Stadium Management Committee – term to expire 6/30/06

President Lawrence read 2007-110 into the record.

Jeffrey Chaisson, 64 Haverhill Rd.

Councilor Pinierio motions to accept 2007-110 – Voted Unanimous

2007-110 Appointment of Kathleen Jarmolowicz – Council on Aging – term to expire 6/30/2010

President Lawrence reads 2007-110 into the record.

Kathleen Jarmolowicz, 5 Colchester Street. – Ms. Jarmolowicz states she is a registered nurse and has run the blood pressure clinic at the Council on Aging for the last 7 years and is very familiar with the Council.

Councilor Pinierio motions for 2007-110 be accepted by the Council – Voted Unanimous

Public Hearing - Measures

2007-097 A Request to petition the General Court for Common Victualler All Alcohol Licenses under MGL, Ch. 138, Sec.12 – Mayor Kezer sponsor

President Lawrence reads 2007-097 into the record and opens and closes the public hearing.

2007-098 An Order to transfer \$20,200 from Ambulance Receipts to purchase Ambulance Billing and Data Collection Program – Mayor Kezer sponsor cont.

President Lawrence read 2007-098 into the record and opened the public hearing.

Councilor Lindstrom asks if the town will be doing the billing in house. Jonathan Brickett, Acting Fire Chief stated the Fire Department will still maintain a third party billing company. The software will take all the information electronically and put it into a data base to be sent to the billing company immediately. Councilor Iacobucci asks what the ongoing costs are going to be. Acting Chief Brickett states the ongoing costs will be maintenance fees approximately \$700.00 per year. Beverly Hospital is allowing any region 3 services to use their server and that would cover upgrades and maintenance of the software system. Councilor Pinierio asks if there are any grants available to cover the maintenance. Acting Chief Brickett states they could not find any. He believes they will do better on negotiating rather than just picking up some money for software or hardware expenses. He believes they will have greater ability to negotiate the percentage of collection; a bigger long term saving. Currently the department is doing everything in a paper form and using the mail to get it to the billing company to be coded and billed, 7 – 15 days. The new system is designed to down load with guarantees that it will be billed from the billing company within 12 hours of receipt.

President Lawrence closed the public hearing on 2007-098

2007-099 An Order to accept a \$4,000.00 donation from Amesbury Healthcare Charitable Trust – Mayor Kezer sponsor cont.

President Lawrence opened the public hearing.

Pamela Brown, Director Council on Aging – Ms. Brown states the Council on Aging requested \$4,000 from the Amesbury Healthcare Charitable Trust to outfit their health office which currently consists of a desk and a scale. The Council on Aging has health clinics monthly for blood pressure, blood sugar, hearing clinic and a podiatrist monthly. They have seen an increase in participants in the clinics and felt it would be important to outfit the office with some simple equipment.

President Lawrence closes the public hearing.

2007-100 An Order to accept \$207,176.00 Federal Fire Act Grant – Mayor Kezer sponsor cont.

President Lawrence opened the public hearing.

Acting Chief Brickett states the grant will replace the air compressor and air packs. Amesbury was one of only 88 departments in the country to receive the grant. The match would only be 5%. Councilor Iacobucci asks if the council will receive a request for the \$10,000 match. Acting Chief Brickett states yes and believes it will be made through the ambulance account.

President Lawrence closes the public hearing.

2007-104 An Order to surplus Municipal Vehicles – Mayor Kezer sponsor cont.

President Lawrence opens and closes the public hearing.

Second Readings

2007-097 A Request to petition the General Court for Common Victualler All Alcohol Licenses under MGL, Ch. 138, Sec. 12 – Mayor Kezer sponsor

Councilor Iacobucci questioned whether the business names should be mentioned in the legislation or just the address or if it should say the business or successor. He also asks whether the practice of pledging a license for a loan should be in the legislation. He asked for clarification between general and specific laws.

Kendra Amaral, Chief of Staff – Ms. Amaral states she has been working with Representative Costello's office to develop this bill and the language for the legislation for review at the state level and for ABCC input. They recommend listing the business names and changing special laws to specific. As far as pledging she is not certain it needs to be addressed in the bill or through the lending authority. Councilor Thone asks why the business names need to be mentioned. Ms. Amaral responds that the state needs demonstration that there is actually a need.

Councilor Iacobucci motioned to take 2007-097 out of Ordinance and to approve with amendments. Section 1 paragraph one – at the end add "one of which shall be issued to". Paragraph two add "and one of which shall be issued to". Paragraph three; sentence two "Notwithstanding any general specific law or any rule or regulation to the contrary, the licensing authority shall not approve the transfer of such license to any other location. Roll Call Voted – Unanimous

2007-098 An Order to transfer \$20,200.00 from Ambulance Receipts to purchase Ambulance Billing and Data Collection program – Mayor Kezer sponsor cont.

Councilor McClure read the recommendation from the Finance Committee to accept 2007-098.

Councilor Iacobucci moved the recommendation of the Finance Committee to approve 2007-098.
Roll Call Vote – Unanimous

2007-099 An Order to accept a \$4,000.00 donation from Amesbury Healthcare Charitable Trust – Mayor Kezer sponsor cont.

Councilor McClure read the recommendation of the Finance Committee to accept 2007-099.

Councilor Benson moved the recommendation of the Finance Committee.
Roll Call Vote – Unanimous

2007-100 An Order to accept \$207,176.00 Federal Fire Act Grant – Mayor Kezer sponsor cont.

Councilor McClure read the recommendation of the Finance Committee to accept 2007-100.

Councilor Iacobucci moved the recommendation of the Finance Committee.
Roll Call Vote – Unanimous

2007-104 An Order to surplus Municipal Vehicles – Mayor Kezer sponsor cont.

Councilor McClure read the recommendation of the Finance Committee to approve as written, 2007-104.

Councilor Benson moved the recommendation of the Finance Committee.
Roll Call Vote – Unanimous

Late File

2007-117 An Ordinance to Amend Article 98-181, Maintenance of Unaccepted Streets and to Provide Snow & Ice Removal – Councilor Iacobucci
Councilor Iacobucci moved to accept late file 2007-117
Voted - Unanimous

First Readings

2007-108 Resolution confirming Confirmation of Golden Triangle as a 43D Priority Development Site – Councilors Lavoie, Iacobucci

Councilor Lavoie states 2007-108 is a resolution to complete the process that started with the adoption of 2007-078 on September 11, 2007. Since the town now has the grant and the state has approved the Golden Triangle as a priority site, action by the council in adopting 2007-108 will complete the process and authorize the Administration to accept and administer the grant and confirm the identity of the parcels in the Golden Triangle.

Councilor Lavoie moves adoption of 2007-108 as submitted.
Roll Call Vote – Unanimous

2007-112 An Order to increase the exemption amount of qualified applicants – Mayor Kezer sponsor
President Lawrence read 2007-112 into the record.
Councilor Benson referred 2007-112 to the Finance Committee and a public hearing for November 27th – Voted Unanimous

2007-113 An Order to hold the annual Classification Hearing – Mayor Kezer sponsor
President Lawrence read 2007-113 into the record.
Councilor McClure motions to refer to the Finance Committee and a Public Hearing for Tuesday, November 27th. She also set the next Finance Committee for November 26th.
Voted – Unanimous

2007-114 An Order to accept \$80,000.00 grant from Financing the Repair, Renovation and Construction of Municipal Police Stations – Mayor Kezer sponsor
President Lawrence read 2007-114 into the record.
Councilor Benson referred 2007-114 to the Finance Committee – Voted Unanimous

2007-115 An Order to appropriate \$182,000 from Free Cash for the Department of Public Works equipment – Mayor Kezer sponsor
President Lawrence read 2007-115 into the record
Councilor Lavoie referred 2007-115 to the Finance Committee November 26th and schedule a public hearing November 27th – Voted Unanimous

2007-116 An Ordinance to amend Article Five – Town Clerk/Clerk to the Municipal Council – Councilor Iacobucci sponsor
President Lawrence read part of 2007-116 into the record.
Councilor Benson referred 2007-116 to the Ordinance Committee – Voted Unanimous

2007-117 An Ordinance to Amend Article 98-181, Maintenance of Unaccepted Streets and to Provide Snow & Ice Removal – Councilor Iacobucci

President Lawrence read 2007-117 into the record.

Councilor Iacobucci referred 2007-117 to Ordinance and Finance – Voted Unanimous

Correspondence

Councilor McClure asks if they will be receiving a final report from the Bailey Pond Ad Hoc Committee.

Councilor Thone states a meeting has been scheduled for November 14th to discuss a final report.

Councilor Iacobucci motions to schedule additional council meetings for November 11th and 18th – Voted Unanimous

Councilor Lindstrom asks Councilor King for an update of the High School Building Project.

Councilor Benson motioned to adjourn 8:35 – Voted Unanimous

Respectfully Submitted,

Assist. Town Clerk